

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Howard N. Straub Examiner: Vy Q. Bui
Serial No.: 09/650,584 Art Unit: 3731
Filed: August 30, 2000 Confirmation No. 9208
For: OPHTHALMIC DEVICE AND METHOD OF MANUFACTURE AND USE

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: MAIL STOP AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: Erin K. Duff Date April 28, 2005

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P.O. Box 1450
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AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION UNDER 37 CFR 1.116

Dear Sir:

This Amendment and Response is being filed in response to a Final Office Action mailed from the U.S. Patent and Trademark Office on December 28, 2004 in the above-identified application. A petition for a one-month extension through April 28, 2005 is filed with this response. Also filed on the same date as this Response, is a petition to remove the finality of the Office Action. As stated in the petition, Applicant believes that the Office Action was improperly made final, as all of the properly-filed Information Disclosure Statements have not been considered by the Examiner and the references cited therein made of record in this application.